

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Examiner: Helm, Caralynne

Thierry Glauser et al.

Serial No. 10/807,362

Art Unit: 1615

Filed: March 22, 2004

Confirm. No.: 3954

Title: PHOSPHORYL CHOLINE COATING COMPOSITIONS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§1.97-1.98**

Dear Examiner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicants hereby notify the U.S. Patent and Trademark Office of the references listed on the attached Form PTO-1449. The references were cited in the European Search Report of a related foreign application, mailed January 19, 2009. A copy of the Search Report is enclosed. Twelve out of thirteen references cited are already of record.

I hereby certify that each item of information was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute the listed documents as prior art during examination. Furthermore, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Supplemental Information Disclosure Statement is being submitted after receiving the first office action but before an action closing prosecution on the merits. A Certification under 37 C.F.R. §1.97(e)(1) is provided above; accordingly, no fee is believed to be due. The Commissioner is authorized to charge any deficiencies or other amounts due to Deposit Account No. **07-1850**.

Date: March 30, 2009

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. P. Auerbach", is written over a horizontal line.

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